

Notice of Allowability

Application No.

10/803,435

Examiner

Sin J. Lee

Applicant(s)

TOYODA ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03-18-2004.
2. ☒ The allowed claim(s) is/are 12-14.
3. ☒ The drawings filed on 18 March 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 03182004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10252004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. Applicants canceled claims 1-11 and 15-20 in the preliminary amendment.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Mr. J. Scott Young on October 25, 2004.
4. The application has been amended as follows:

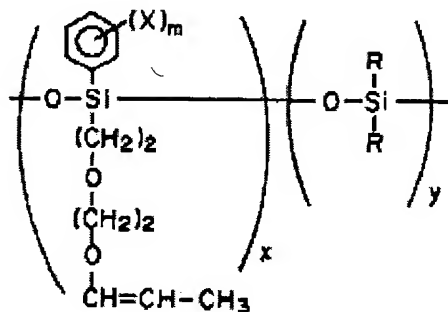
In Claim 12, on the first line following the chemical formula (4), delete "and".

In Claim 13, line 3, change "a silicone" to --- said silicone ---.

In Claim 13, line 4, change "a" to --- said ---.

5. The following is an examiner's statement of reasons for allowance:

Imamura et al (JP 11-023886 and its machine-assisted English translation provided by Japan Patent Office) teaches a silicone vinyl ether oligomer having the following formula (see claim 8, [0029] and [0051]);



Present silicon oligomer of present claim 12 is distinguishable over the prior art's silicone oligomer shown above because the latter has the $-(CH_2)_2-$ group located between the silicon atom and the oxygen atom. On the other hand, in the present silicon oligomer, the silicon atom is directly bonded to the oxygen atom. The prior art does not teach or suggest that the $-(CH_2)_2-$ group between the silicon atom and the oxygen atom can be omitted.

Crivello et al (*Synthesis and Photopolymerization of 1-Propenyl Ether Functional Siloxanes*, *Chemistry of Materials* (1996), 8(1), pg.209-18) teach the synthesis of 1-propenyl ether functional siloxane by the hydrosilations of α -(1-propenoxy)- ω -(vinylloxy)alkanes (which chemical formula is $CH_2=CHOYOCH=CHCH_3$ wherein Y represents $-(CH_2)_2-$, $-(CH_2)_4-$, $-(CH_2)_6-$, $-(CH_2)_2-O-(CH_2)_2-$, or) and photopolymerization of such 1-propenyl ether functional siloxane. Present silicone oligomer of present claim 12 is distinguishable over the prior art's 1-propenyl ether functional siloxane because the latter compound has the $-(CH_2)_2-$ group located between the silicon atom and the oxygen atom (see chemical equations (7) and (8) on pg.213 of the prior art). On the other hand, in the present silicon oligomer, the silicone

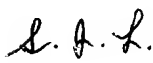
atom is directly bonded to the oxygen atom. The prior art does not teach or suggest that the $-(CH_2)_2-$ group between the silicon atom and the oxygen atom can be omitted.

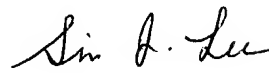
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


S. Lee
October 25, 2004


Sin J. Lee
Patent Examiner
Technology Center 1700